

State of Hawaii
Department of Transportation
Statewide Transportation Planning Office

CAPITAL ASSISTANCE FOR THE TRANSPORTATION
OF THE ELDERLY AND DISABLED

INFORMATION



2007

Deadline to submit application is October 15, 2008

In accordance to 49 USC Section 5310

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Background

In 1990, the American with Disabilities Act (Public Law 101-366), often referred to as ADA, was signed into law. In part, this civil rights legislation mandates equal opportunity in employment, telecommunications, transportation, and places of public accommodation for persons with disabilities. Included with providing equal opportunities for individuals with disabilities is the requirement of providing “accessibility” in transportation.

The U.S. Department of Transportation (USDOT) published its final ruling implementing the ADA provisions requiring that after August 25, 1990, public and private transportation providers must, with some exceptions, solicit or procure accessible vehicles. These rules apply to both public and private providers regardless of whether transportation is a primary or ancillary function, and covers both fixed-route and demand-responsive transportation operations. For more details on ADA requirements relating to transportation, refer to the September 6, 1991 Federal Register, Part IV Department of Transportation, 49 Code of Federal Regulations (CFR) Parts 27, 37 and 38 Transportation for Individuals with Disabilities; Final Rule.

In 1975, the Age Discrimination Act was passed, 42 United States Codes (USC) Section 6101. This legislation mandates that on the basis of age, no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.

In pursuing the intent and requirements of American Disabilities Act and the Age Discrimination Act, the USDOT initiated 49 USC Section 5310, an assistance program, that makes federal funds available for providing transportation services for elderly persons and persons with disabilities. The 49 USC Section 5310 federal assistance program is administered and managed by the Federal Transportation Administration (FTA) at the federal government level and by the Hawaii State Department of Transportation, herein after referred to as the Department, at the Hawaii State government level. The Department has been designated by the Governor to administer the Section 5310 Program; where the administration and management of the Section 5310 program within Department resides with the Statewide Transportation Planning Office.

Purpose

The goal of the 49 USC Section 5310 federal assistance program, better known as Section 5310, is to provide assistance in meeting the special transportation needs of elderly persons and persons with disabilities. The Section 5310 program is designed to supplement other FTA capital assistance programs, such as the Section 5307 and Section 5311 programs that provide federal funding assistance to public transportation systems, by funding transportation for elderly persons and persons with disabilities in all areas – urbanized, small urban and rural. The program seeks to enhance coordination of federally assisted programs and services in order to encourage the most efficient use of

Federal resources and achieve the national goal of improved mobility for elderly persons and persons with disabilities.

FTA Coordinated Public Transit – Human Services Transportation Plan

Federal transit law, as amended by SAFETEA-LU, requires that projects funded from FTA Section 5310, Section 5316 (Job Access and Reverse Commute), and Section 5317 (New Freedom) programs be derived from a locally developed, coordinated public transit – human services transportation plan. This coordinated plan maximizes the programs' collective coverage by minimizing duplication of services. Additionally, the coordinated services plan is developed through the process that includes representatives of public, private and non-profit transportation and human services providers and participation by the public. The coordinated plan may incorporate activities offered under other programs sponsored by Federal, State and local agencies to strengthen its impact, and participation in coordinated service delivery as long as the coordinated services continue to meet the purposes of all programs.

Eligible Projects

The FTA Section 5310 program provides assistance for the purpose of providing transportation services in meeting the special needs of elderly and disabled persons where mass transportation services are unavailable, insufficient, or inappropriate.

The Section 5310 program provides several eligible uses that qualify for federal assistance. In the State of Hawaii the Department has determined the most effective and efficient use of these Section 5310 funds are for capital purchases that provides for the transportation service needs for the elderly and disabled. For this reason, eligibility is restricted to two capital uses – (1) motor vehicle purchases, and (2) motor vehicle equipment purchases.

The capital purchases must be for accessible motor vehicles, or equipment for accessible motor vehicles. However, purchases for non-accessible vehicles or equipment are eligible, when Equivalent Service is provided. The following is an outline of eligible motor vehicle expenditures, by organization type and transportation service:

1. Private Non-Profit Organizations – Not Primarily Engaged in the Provision of Transportation
 - A. Fixed Route Service
 - All motor vehicles with capacity > 16 must be accessible
 - All motor vehicles with capacity < 16 must be accessible unless equivalent service is provided
 - B. Demand Responsive Service
 - All motor vehicles must be accessible unless equivalent service is provided

2. Private Non-Profit Organizations – Primarily Engaged in the Provision of Transportation
 - A. Fixed Route Service
 - All motor vehicles must be accessible
 - Except automobiles where equivalent service is provided
 - Except vans with capacity < 8 where equivalent service is provided
 - B. Demand Responsive Service
 - All motor vehicles must be accessible unless equivalent service is provided
3. Public Entities
 - A. Fixed Route Service
 - All motor vehicles must be accessible
 - B. Demand Responsive Service
 - All motor vehicles must be accessible unless equivalent service is provided

The proposed capital expenditure, herein after called the Project, to receive funding assistance must be consistent with the aforementioned eligible expenditures.

Funding Requirements

The Section 5310 program provides a maximum of 80 percent federal funding assistance for the total project cost. The remaining 20 percent of the total project cost must be provided by the applicant organization.

Eligible Project Uses

The Section 5310 program provides funding assistance for transporting the elderly or persons with disabilities. Therefore, the Project must be for the transporting of the elderly or persons with disabilities.

The transporting of the elderly or persons with disabilities with the Project is defined as the Primary Use. Projects, such as motor vehicles or vehicle equipment, purchased with Section 5310 funds do not have to be solely used for the Primary Use. Projects not used for the transporting of the elderly or persons with disabilities are defined as Incidental Use. Incidental Use cannot interfere with the Primary Use of the Project.

Eligible Organizations

Section 5310 program funds are intended for use by Private Non-Profit Organizations in providing transportation services to elderly persons or persons with disabilities.

However, Public Entities are eligible for federal assistance under the Section 5310 program if there are no private non-profit organizations already providing or readily available to provide the proposed transportation service to the elderly persons or persons with disabilities.

The following are eligible applicant organizations:

1. Private Non-Profit Organizations – Not Primarily Engaged in the Provision of Transportation

Any private non-profit organization that is not a state or local government; and department, agency, special purpose district, or other instrumentality of one or more state or local governments that are not primarily engaged in the provision of transportation, but do provide transportation services to the elderly or disabled.

The applicant Private Non-Profit Organization is required to submit proof of non-profit status by either a copy of the current annual Domestic Non-Profit Corporation Exhibit from the State Department of Commerce and Consumer Affairs or a Non-profit Status Letter from the Internal Revenue Service; and Documentation of Incorporation.

2. Private Non-Profit Organizations – Primarily Engaged in the Provision of Transportation

Any private non-profit organization that is not a state or local government; and department, agency, special purpose district, or other instrumentality of one or more state or local governments that are primarily engaged in the provision of transporting the elderly or disabled.

The applicant Private Non-Profit Organization required to submit proof on non-profit status by either a copy of the current annual Domestic Non-Profit Corporation Exhibit from the State Department of Commerce and Consumer Affairs or a Non-profit Status Letter from the Internal Revenue Service; and Documentation of Incorporation.

3. Public Entities

Any state or local government; and department, agency, special purpose district, or other instrumentality of one or more state or local governments

provided there are no non-profit private entities already providing or readily available to provide the proposed transportation service.

The public entity is required to submit evidence that there is no competing non-profit entity providing similar service. The applicant public entity must certify by letter signed by the Director of the agency and the Mayor of the County to the Department there are no non-profit corporations or associations already providing or readily available to provide the proposed transportation service to elderly persons and persons with disabilities.

Duplication of Transportation Services Requirement

In providing effective and efficient use of Section 5310 federal assistance, Applicant Organizations are required to provide verification and proof that similar services of transporting the elderly or disabled is not being provided by another organization.

Project Use Requirements

Project Use

The Project must be used as described in the application, and in accordance with all applicable Federal, State and local requirements.

If the Recipient Organization, an Applicant Organization that has been approved for Section 5310 funding assistance for a Project, does not use the project as described in the application or in accordance to applicable Federal, State and local requirements, the Department may remove the project from the Recipient Organization. The Recipient Organization may not be compensated for any capital costs related to the removal of the project, and may be removed from any future consideration for Section 5310 program funding assistance.

Project Not-In-Service

If the Project is not in use for a period longer than two weeks, the Recipient Organization is required to immediately notify the Department. The Recipient Organization at the time of notifying the Department shall provide the cause for the Project not being in use, efforts taken to get the Project back in service and when the project will be back in service. The Department may consider the Recipient Organization's inability to get the Project back in service non-compliant with the maintenance requirement.

Project Title

The title to the Project, motor vehicle or equipment, acquired under the Section 5310 Program will be vested with the Recipient Organization.

Project Use Records

The Recipient Organization must keep operation records of the Project. Operation records must be kept for both primary and incidental use, in terms of ridership, trip destination, passenger characteristics, accidents and incidents. The records must also be traceable to the costs and revenues linked to the operations of the project, including primary and incidental uses.

Project Insurance

The Project purchased with Section 5310 funding assistance is required to have full insurance coverage for the capital cost of the project for the use of the Project. The Recipient Organization is responsible for the insurance coverage.

Commercial Driver's License (CDL)

Anyone that drives motor vehicles or vehicles containing equipment purchased with Section 5310 funds is required to have a CDL for either a single motor vehicle with a gross vehicle weight rating (GVWR) of more than 26,000 pounds, or a motor vehicle designed (base configuration) to transport more than 16 persons, including the driver.

Commercial Vehicle Permit

By State requirement, vehicles over the GVWR of 10,000 pounds must have a commercial vehicle permit. The commercial vehicle permit is the responsibility of the Recipient Organization.

Project Profit

If Project use or disposition provides a revenue profit, the profits must be reinvested into the Recipient Organization's transportation services for the elderly or persons with disabilities, or turned over to the Department where it will be utilized for transit.

Project Maintenance Requirements

Maintenance

The Recipient Organization must properly maintain the Project at all times and keep the Project in safe operational condition for the use describe in the application, and in accordance with all applicable Federal, State and local requirements. All costs for Project maintenance are the responsibility of the Recipient Organization.

If the Recipient Organization does not maintain the project as described in the application or in accordance to applicable Federal, State and local requirements, the Department may remove the project from the Recipient Organization. The Recipient Organization may

not be compensated for any capital costs related to the removal of the project, and may be removed from any future consideration for Section 5310 program funding assistance.

Maintenance Records

The Recipient Organization must keep maintenance records of the Project. Maintenance records include Pre- and Post-trip Inspection, Regular and Preventive Maintenance, and Repairs records.

Project Service Life & Disposition Requirements

Vehicle Service Life

Motor vehicles purchased with Section 5310 funds must be used as described in the application, and in accordance with all applicable Federal, State and local requirements for a minimum period here after referred to as the Vehicle Service Life. Vehicle Service Life is defined as follows:

- Light-duty motor vehicles such as automobiles, small buses and vans – 5 years or 100,000 miles.
- Medium-size, light-duty transit buses (approximately 25’-35’) – 6 years or 150,000 miles.
- Medium-size, medium-duty transit buses (approximately 30’) – 8 years or 200,000 miles.
- For any other type of motor vehicle contact the Department.

Although, the Vehicle Service Life has been met, the Project may only be removed from its use as described in the application, and in accordance with all applicable Federal, State and local requirements, through Section 5310 Disposition, which requires written approval from the Department.

Equipment Service Life

Equipment purchased with Section 5310 funds must be in service with the Recipient Organization for a minimum period here after referred to as the Equipment Service Life. All equipment purchased with Section 5310 funds shall have an Equipment Service Life of at least 4 years. If the equipment has a service life less than 4 years, the Applicant Organization must provide information on the Equipment’s Service Life at the time of application submittal.

Project Disposition

The Project must be used and operated as described in the application and meet all applicable Federal, State and local requirements. The Project may be removed from this obligation and agreement only when the Recipient Organization has received written disposition approval from the Department.

Projects may only be disposed of when the intended purpose under the Service Life has been met and the Project can no longer be operated efficiently and effectively. However, if there are reasons by the Recipient Organization for Project removal other than the aforementioned, the Recipient Organization must request and receive approval from the Department to proceed with removing the Project from application use and applicable Federal requirements. If the Department approves Project removal, the Recipient Organization shall proceed with the disposition process.

Before any disposition proceedings take place, the Department must be contacted for disposition consultation, requirements and procedures. Project disposition is allowed only after written approval from the Department.

If the Project is in operational condition as determined by the Department and the Recipient Organization disposes the Project before the Service Life, the Department will reassign the project to another qualified organization. The dollar value of the Project shall be determined by the Straight-Line Depreciation Method and twenty-percent of the determined dollar share shall be provided to the Recipient Organization by the Department.

If the Project is disposed before the Service Life and the Project is not in operational condition as determined by the Department, the Recipient Organization shall reimburse the Department eighty-percent of the project's value determined by the Straight-Line Depreciation Method.

If the Recipient Organization disposes the Project after the Service Life and obtains revenue, eighty-percent of the revenue proceeds must be utilized for the Recipient Organization's transportation services. Or, eighty-percent of the revenue proceeds must be returned to the Department.

Recipient Organization's may sell or trade-in motor vehicle projects before its Service Life, when acquiring "like-kind" replacement vehicles (i.e., generally the same class of transit vehicle). The process to acquire "like-kind" vehicles will be the same procedure as acquiring new vehicles – the Section 5310 application process. Proceeds from the sale of the vehicle must be applied towards the purchase cost of the replacement vehicle. Recipient Organizations interested in the sale or trade-in of a vehicle must contact the Department for consultation, requirements, and procedures before any proceedings take place.

Accessible Requirements

Accessibility

The Section 5310 program requires that all Projects assisted with Section 5310 funds be for accessible motor vehicles, and accessible assistance is provided.

Further, the American Disabilities Act requires compliance with specific service provisions related to accessible transportation services, which are applicable to motor vehicles purchased or supplemented with Section 5310 funds. The accessible service provisions are listed as follows:

- Lift and securement use;
- Lift deployment at any designated stop;
- Service to persons using respirators or portable oxygen;
- Adequate time for vehicle boarding and disembarking;
- Ingress and egress assistance to disabled clients;
- Service animals;
- Use of accessibility features;
- Procedures to ensue lift availability, public entities only; and
- Vehicle identification mechanisms.

Non-Accessibility Exemption

The exception to the accessible requirement is the condition that the Applicant Organization's transportation service, when viewed in its entirety, provides service to persons with disabilities, called Equivalent Service. Therefore, if other motor vehicles currently in the Applicant Organization's inventory are accessible or a cooperative agreement with another organization that provides accessible services to the Applicant Organization's clients, then non-accessible equipped vehicles may be proposed in the application provided Equivalent Service is provided and attested in the application.

Recipient Organization Requirements

Managerial Capabilities

The Applicant Organization must have the management capability to operate and maintain the project. And, after Section 5310 funding assistance is provided the Recipient Organization must have the managerial capabilities to safely and efficiently operate, maintain and dispose the project in accordance to the Section 5310 program requirements. By annual and quarterly reporting, and compliance reviews the Department will determine the continuing managerial capabilities of the Recipient Organization.

Financial Capability

The Applicant Organization must have the fiscal capability to provide the 20 percent cost share, and the operation, maintenance, insurance and disposition costs for the duration the vehicle or equipment is in service.

The Recipient Organization must also have the financial capability, which includes the fiscal controls and accounting procedures necessary to comply with the Section 5310 program and federal requirements requirements. The financial record keeping of the Recipient Organization's transportation program operations and maintenance, and project use shall permit for the tracing of funds to a level of expenditures adequate to establish that such funds have not been used in violation of the Section 5310 program and federal requirements.

The Recipient Organization's continuing financial competency and capability shall be provided to the Department by annual and quarterly reporting, and compliance reviews.

Reporting

All Recipient Organizations are required to submit to the Department the Annual Report within 30 days of the end of the calendar year, and Quarterly Reports within 30 days of the end of each quarter. The quarter periods are defined as January to March, April to June, July to September and October to December. The purpose of the reports is to provide assurance that the Recipient Organization is demonstrating compliance with the Section 5310 program, by providing project and maintenance information on the project.

Failure to submit the reports may be deemed as non-compliance with the Section 5310 Program, which may result in forfeiture of the project purchased with the assistance of the Section 5310 program and the disqualification from future federal assistance opportunities.

Site Inspection

The Department will conduct site inspections of all Recipient Organizations that received Section 5310 funding assistance. The site inspection shall be conducted at the Recipient Organization's agency. The on-site inspection shall provide assurance that the Project is being operated and maintained in accordance to the requirements of the Section 5310 Program, and the Recipient Organization has the financial, management and legal capabilities.

The Recipient Organization personnel at the site inspection shall be persons capable of providing the required operations and maintenance information and records, and assurance of financial, management and legal capabilities of the Section 5310 program as provided in the Site Inspection Checklist. Site inspections will be conducted with prior notification and arrangement with the Recipient Organization.

Failure to meet with the Department for Site Inspections shall be determined as non-compliance with the Section 5310 Program and may result in the forfeiture of the project and disqualification from future federal assistance opportunities.

Application Procedures

Applicant Organizations interested in receiving funding assistance for a proposed project are required to complete and submit the Section 5310 Application with all required documents to the Department by the application deadline. Any late or incomplete Applications may be rejected from consideration for the Section 5310 program.

Applications must be submitted to:

Hawaii Department of Transportation
Statewide Transportation Planning Office
869 Punchbowl Street, Room 404
Honolulu, HI 96813

Attention: Application for Capital Assistance for the
Transportation of the Elderly and Disabled
Mr. Ryan Fujii

The Department will review the Applications for completeness and consistency with the Section 5310 Program requirements. An Evaluation and Selection Committee will be convened to review qualified applications and recommend for approval to the Director of Transportation those Projects for Section 5310 funding.

The Evaluation and Selection Committee will evaluate and rank the qualified Applications utilizing the following equally weighted Evaluation Criteria:

1. Applicant Organization's Effectiveness of Transportation Program in meeting the transportation needs of the elderly and/or disabled.
2. Applicant Organization's Appropriateness of Project in meeting the transportation needs of the elderly and/or disabled.
3. Applicant Organization's Financial Capability for the local match, and to operate and maintain the project and the transportation program for the elderly and/or disabled.
4. Applicant Organization's Management and Operations Capability to operate and maintain the transportation program to the elderly and/or disabled.

If the Applicant Organization has previously received Section 5310 funding assistance, additional information, including to but not limited to, compliance review findings, site inspection documents and reporting records will be used in the evaluation of the Application.

Applications recommended by the Evaluation and Selection Committee and approved by the Director of Transportation shall be submitted to FTA in a consolidated grant application for FTA Section 5310 approval.

Award Procedures

After grant approval is received from FTA, the Department shall notify the Applicant Organizations that they have been approved for Section 5310 funding assistance. The Applicant Organization after receiving approval for Project funding is here after called the Recipient Organization. The Section 5310 Program requires that the Recipient Organization complete and provide the following documents to the Department:

1. Agreement
2. Certifications and Assurances
3. FTA Master Agreement
4. Final Project Specifications, Plans and Cost Estimate

If the Recipient Organization fails to submit the aforementioned documents by the specified due date, the Department may rescind the approved Application.

Upon receipt of the required Recipient Organization documents, the Department will proceed with the procurement of Projects. The Department shall procure Projects, unless the Recipient Organization declared in the Application they will procure the Project and has a Department approved procurement process.

During procurement the Recipient Organization will be requested to submit to the Department their share of the Project cost. The Recipient Organization's share of the Project cost will be based upon the actual Project cost, not the estimated Project cost specified in the application.

If the Recipient Organization does not submit the required share of the Project cost by the specified deadline date, the Department may rescind the approved Application and funding assistance to the Recipient Organization's Project.

After procurement award, the Department will notify the Recipient Organization of the Contractor that will provide and deliver the Project.

Upon delivery of the Project to the Recipient Organization, the Recipient Organization must verify and certify that the Project meets the project specifications and plans provided Project until the Department has accepted the Project. The Recipient Organization shall not operate the Project until the Department accepts the Project. The Department shall accept the Project after the vehicle is delivered, and the Recipient Organization verifies and certifies the Project by conducting a vehicle visual inspection and a road test, and complete and submit to the Department the following documents:

- Post-Delivery Purchaser's Requirements – Visual Inspection Report
- Post-Delivery Purchaser's Requirements – Road Test Report
- Post-Delivery Purchaser's Requirements – Certification

Application Instructions

The purpose of this section is to provide the Applicant Organization with instructions on completing the Section 5310 Application.

I. GENERAL INFORMATION

Name of Applicant Organization – Legal Name of the Applicant Organization

Address – The address of the Applicant Organization. If the mailing address is different than the address of the Applicant Organization, provide the mailing address also.

Organization Director and Title – The Organization Director shall be the person from the Applicant and Recipient Organization legally authorized to act on behalf of the Organization with the Department, and shall be person responsible for the Federal, State and local requirements applicable to the Project.

All formal correspondence between the Department and the Organization shall be with the named Organization Director. The Department will not accept any documents and correspondence; such as the Application, Agreement, Certifications and Assurances, and Reporting; related to the Section 5310 Application or Project without the signature or authorization of the Organization Director.

Telephone – The telephone number of the Applicant Organization.

Fax – The fax number of the Applicant Organization and Organization Director.

Email – The email address of the Applicant Organization.

Website – The website of the Applicant Organization.

Type of Business – The Applicant Organization must be a Private Non-profit Organization or a Government Public Entity.

Previous Section 5310 Recipient Organization – The status of the Applicant Organization's receipt of Section 5310 funding assistance, first time applicant or past Recipient Organization. If the Applicant Organization is a past Recipient Organization, the Selection Committee will use past Section 5310 Program compliance review findings, site inspections, and reporting records to evaluate the application.

Service Area – Describe the Applicant Organization’s total service area, in terms of the regions, communities and towns. The service area is the region the clients of the Applicant Organization come from. Also, provide whether the total service area has a population greater or less than 200,000.

Services of Organization – Identify and describe all programs the Applicant Organization provides by completing the Services of Organization section. Provide additional pages, as necessary.

The Services of Organization is to be provided by the following types of program categories:

- Elderly and Disabled Programs – service programs that the Applicant Organization offers that provides social, health or transportation services to the elderly and/or persons with disabilities.
- Other Programs – service programs that the Applicant Organization offers that do not serve the elderly or disabled.

Each description must include the following program information by Program Name.

1. Social, health and/or transportation services provided by the program;
2. Client type and characteristics, such as disabled, elderly, ambulatory or non-ambulatory, disability type, children, that the program serves;
3. Days and hours of program operation;
4. Average number of clients served by the program per month; and
5. Additional information that would be helpful in understanding the program. Pamphlets and brochures may also be submitted, which must be referenced to the named program.

II. TRANSPORTATION INFORMATION

Ethnic Group – From the programs identified in the Transportation Information section of the Application, identify by ethnic group the average number of clients served per month.

Gender – From the programs identified in the Transportation Information section of the Application, identify by gender the average number of clients served per month.

Driver Selection – Check the applicable criteria that the Applicant Organization requires of drivers that operate vehicles for the transportation of clients. If driver criteria are not specifically identified, check the blank box and provide a brief description of the driver requirements.

Driver Training – Check the applicable training that the Applicant Organization provides for drivers that operate vehicles for the transportation of clients. If not specifically identified, check the blank box and provide a brief description of the driver training.

Transportation Maintenance – Check the applicable maintenance activities that the Applicant Organization requires for vehicles used for the transportation of clients. If not specifically identified, check the blank box and provide a brief description of the transportation maintenance activity.

Repair & Maintenance – Identify the Applicant Organization's repair and maintenance agencies that service the organization's vehicle fleet. The repair and maintenance information is requested for vehicle chassis, body and ADA equipment.

Coordinated Transportation Services – Describe the Applicant Organization's coordinated transportation services, such as the existing efforts in coordinating the Applicant Organization's client transportation programs with other public or private transportation service agencies or paratransit agencies. Also, identify the benefits gained from this coordination effort, and any future planned transportation coordination with other transportation service agencies.

Transportation Service Changes – Describe past, current, and future changes to the Applicant Organization's Transportation Services. Provide reasons for the changes and impacts to the transportation service programs and the Applicant Organization.

Fleet Information – From the programs identified in the Transportation Service table of the Application, complete the Fleet Information table. Provide additional pages, as necessary. The following information is required to complete the table:

- Year – the year the vehicle was manufactured;
- Make – the vehicle manufacturer, such as Ford, International, Econoline;
- Model – the manufacturer's model of the vehicle, such as S-350;
- License Plate # - the vehicle license plate number;
- VIN – Vehicle Identification Number of the vehicle;
- Odometer Reading – the number of miles the vehicle has traveled;
- Seating Capacity – the number of ambulatory passenger seats the vehicle has, including the driver;

- Wheelchair (W/C) Lift or Ramp – identify if vehicle has a wheelchair lift or ramp, or gurney;
- Number of W/C Tiedowns –number of wheelchair tiedowns in the vehicle;
- Name of Program – the program(s) the vehicle services. The program identified must be consistent with the program identified in the Transportation Service part of the Application; and
- 5310 Vehicle – identify by ‘yes’ or ‘no’ whether the vehicle was purchased with Section 5310 funding assistance.

Client Transportation Services – Identify and provide information on the transportation services that the Applicant Organization provides for its clients. Client transportation services include the transportation services that transport clients and do not transport clients. This client transportation services information is to be identified by program title. Use the program titles identified in the Services of Organization section of the Application. Provide additional pages, as necessary.

Each description must include the following program information by Program Name.

1. Transportation service and operations provided, such as ‘driving the elderly clients to the doctor, field trips for the disabled, pick-up and drop-off clients from home’ or ‘meals on wheels;’
2. The number of single trips from the Applicant Organization’s vehicle fleet for the program per month. The trips are identified in two categories (1) Clients defined as trips for the transporting of clients, and (2) Non-Clients defined as trips for clients that are not transporting clients.

The Clients single trips must further be categorized into passenger trips that are for the elderly and/or disabled;

3. Identify the transportation service type and the percentage the program uses the transportation service type. The transportation service types Demand Responsive, Shuttle and Fixed Route are defined under the Definitions section.
4. Additional information that will be helpful in understanding the transportation services of the program.

III. PROJECT INFORMATION

Project Description – Describe the Project requested in this Application following the form shown in the sample specifications and plans located in the Enclosures. If assistance is required in the development of specifications and plans, please

contact the Department and/or one of the vendors provided on the List of Vehicle Vendors. If a sample electronic file is preferred, please contact the Department.

Type of Project Use – To comply with FTA Section 5310 Program requirements the Type of Project Use must be identified by one of the following:

- Replacement – the Project will be used as a replacement for a similar type of vehicle or equipment, and use in the existing transportation service program(s).
- Expansion – the Project will be used for existing transportation service program(s) and provide additional transportation service to the program(s).
- New Service – the Project will be used for new transportation service program(s) or existing program(s) that do not have a transportation service.

Project Use Information – Provide the use of the project and identify the program for which the project will be used for by completing the Project Use Information section. The use of the project is to be provided by program title. Use the program titles identified in the Client Transportation Services section of the Application. Provide additional pages, as necessary.

Each description must include the following program information by Program Name.

1. The number of single trips that will be provided by the proposed Project per month. The trips are identified in two categories (1) Clients defined as trips for the transporting of clients, and (2) Non-Clients defined as trips for clients that are not transporting clients.

The Clients single trips must further be categorized into passenger trips that are for the elderly and/or disabled;

2. Identify the transportation service area of the named program. Meaning the areas the vehicles of the program travels in providing transportation assistance to clients of the program. Community, region and township, or street names can be used to describe the service area.
3. Identify the health, social and economic benefits of the transportation service provided by the program, such as the benefits to the client, client's family, and community;

4. Driver characteristics and responsibilities, such as ‘full-time driver’ or ‘part-time driver with other program responsibilities’ ‘that performs pre- and post-trip checks, takes vehicle in for maintenance and cleaning, provides passenger assistance in and out of vehicle and operates the lift;’
5. Boarding, exiting and securing assistance provided to client passengers, such as ‘door to door service’ or ‘curb to curb service’ ‘and aids passengers in securing seat belts and wheelchair tiedowns;’ and
6. Identify and describe the fees and fares for client and non-client transportation services provided by the program; and
7. Additional information that will be helpful in understanding the Project use

Project Primary & Incidental Use – Check the single category that best describes the Applicant Organization’s use of the Project. Any Project uses other than (1) Primary Use or (2) Primary & Incidental Use as defined below will not be eligible for Section 5310 funding assistance.

- Primary Use – using the Project only for transporting the elderly and/or persons with disabilities as described in the Application.
- Primary & Incidental Use – using the Project primarily for transporting the elderly and/or persons with disabilities as described in the Application as well as incidental uses (for other than the transportation of the elderly and/or persons with disabilities). Further, the use of incidental Project use cannot inhibit or prohibit the transportation services of the elderly and/or persons with disabilities. Also, identify the any incidental use of the Project and how it will not inhibit or prohibit primary use.

Any federally subsidized school bus program that utilizes the Project must receive approval from the Department.

Project Cost Estimate– Identify the estimated Total Project Cost, Federal Funds Requested, and Applicant Organization Cost Share. The Total Project Cost includes the total estimated cost to manufacture, modify, and deliver the Project in accordance with the Project Description.

The Federal Funds Requested is the funding assistance to be provided by the FTA Section 5310 Program, if the Application is approved. The maximum funding assistance for the Funds Requested is 80% of the Total Project Cost.

The Applicant Organization Cost Share is the remainder dollar amount of the Total Project Cost less the Federal Funds Requested. The Applicant Organization Share is the estimated share that the Applicant Organization is responsible for providing. The actual Applicant Organization's share to be provided to the Department will be determined from the actual project contract invoice.

Project Procurement – Identify how the Project is to be procured, by the Department or Applicant Organization.

If the Applicant Organization prefers to procure the Project, the Department must be contacted before the Application deadline submittal date for the additional approval of the Applicant Organization's procurement process. The Applicant Organization must be approved for Federal, State and local procurement requirements.

Need for Project – Describe the need and justification for the Project. Explain how the Applicant Organization determined the need for the project and how the Project will address these needs.

Benefits of Project – Describe the benefits to be gained by the program(s), Applicant Organization, public, community, government, elderly clients, disabled clients, non-elderly/disabled clients, economy, etc. should the Project be awarded.

Deficiencies if Project is Not Awarded – Describe the deficiencies and shortcomings to the program(s) existing and future services, or other possible negative outcomes that may arise should the Project not be awarded.

Project Equivalent Service – Select the single category that best describes how the Applicant Organization intends to meet the Section 5310 requirement of Equivalent Service for the Project. Projects that are ADA Accessible are not required to comply with the Equivalent Service requirement.

Project's that are not accessible must comply with the Equivalent Service requirement. Therefore, the Applicant Organization must provide Equivalent Service for the program(s) that the Project will be used. Describe how the Applicant Organization's meets the Equivalent Service requirement and/or provide an Equivalent Service policy.

Equipment Service Life – For Project equipment that have a Service Life less than 4 years, describe and provide documentation for the basis of the equipment service life.

IV. FINANCIAL INFORMATION

Organization Financial Statement – Provide your organization's Financial Statement for the current or most current period and two previous years. Information will be used to determine your organization's financial stability and sustainability.

Fluctuations in Revenue and Income – If fluctuations in estimated revenue or expenses vary or are expected to vary over the next two years, provide reasons for the anticipated or actual fluctuations and whether such fluctuations will affect the programs financial stability and sustainability.

Source of Share Cost – Identify the source of the Applicant Organization's Project Cost. Departmental Project procurement requires that the funds be available before the project is awarded to the vendor, which is approximately 12 to 18 months after the Application approval.

V. MANAGEMENT INFORMATION

Organization Structure – Describe the overall organizational structure of the Applicant Organization. If available, provide a diagram of the organization.

Number of Employees – Identify the number of employees of the Applicant Organization by the categories indicated on the Application. If the employees work in a category not provided, use the blank space and describe the category and identify the number of employees.

Service Years – Identify the number of years the Applicant Organization has been in business and has provided services for the categories indicated on the Application. The categories are for the years the Applicant Organization has been in business, provided transportation services, and provided transportation to the elderly or persons with disabilities.

Transportation Experience – Describe the Applicant Organization's experience in providing transportation services and transporting the elderly or persons with disabilities.

Transportation Human Resources – Identify the employee positions the Applicant Organization utilizes for their transportation operations and management. Describe the position roles and responsibilities, and the amount of time the position performs transportation duties.

Example: The Rehabilitation Program Manager drives the vehicle for program activities, assists ambulatory and non-ambulatory clients in and out of the vehicle, operates the wheel-chair lift, secures the clients, performs vehicle pre- and post-

trip checks, washes and cleans the vehicle interior and exterior, and takes vehicle in for maintenance and repairs. The transportation efforts require 1/8 of the position's duties.

VI. LEGAL INFORMATION

Legal Counsel – Identify whether the Applicant Organization has legal counsel by checking the appropriate box.

VII. OTHER FEDERAL REQUIREMENTS

Non-Duplication of Transportation Services – The Applicant Organization must not provide duplicated transportation services to the elderly or disabled, unless there is an unmet need for such transportation service. The Application must include at least one of the following:

- Letters from public, private and para-transit operators within the Applicant Organization's transportation service area addressed to the Hawaii State Department of Transportation indicating that their current and near future operations do not provide similar services proposed in the application.
- Documentation of the Applicant Organization's efforts to contact and notify public, private and paratransit operators with similar transportation services within the Applicant Organization's transportation service area of the intent to seek federal funding assistance, provide such transportation services, and not provide similar transportation services. Provide at least one:
 - Copies of public notice in area newspapers with written comments from other transportation providers indicating that Applicant Organization's current and near future transit services are not similar to their own.
 - Copies of correspondences, with transportation provider names and contact date information to verify that the Applicant Organization's current and near future transit services are not similar.

Private Non-Profit Organizations – Private Non-Profit Applicant Organizations must provide documentation of their non-profit status to the Department by submitting the following:

- Proof of non-profit status by either a copy of the current annual Domestic Non-Profit Corporation Exhibit or Non-Profit Status Letter from the Internal Revenue Service
- Proof of incorporation by a copy of Incorporation Document

Public Entities – Applicant government agencies must certify that no other public, private or para-transit operators provide the same transportation service. A letter signed by the Director of the Transit Agency and the Mayor of the County must be provided with the Application satisfying this certification.

Title VI of the Civil Rights Act of 1964 – The Applicant Organization must provide assurance to the Department that the Title VI of the Civil Rights Act of 1964 is being complied with by submission of the signed assurance with the Application.

Nondiscrimination on the Basis of Handicap as Required by 49 CFR Part 27 – The Applicant Organization shall provide assurance to the Department that the Nondiscrimination on the Basis of Handicap as Required by 49 CFR Part 27 is being complied with by the submission of the signed assurance with the Application.

VIII. CERTIFYING AUTHORITY

This section must be completed and signed when submitted to the Department. The Application will not be evaluated for approval if not completed.

Definitions

Accessible – means that the vehicle is capable of being used by individuals with disabilities, including individuals who use wheelchairs.

Accessible Vehicle – vehicles with a lift or other level-change mechanism (e.g. ramp) that can accommodate common wheelchairs. Vehicles greater than 22 feet must provide at least two securement locations, at least one of which must be forward facing. Vehicles 22 feet or shorter must provide at least one forward facing location. Side facing securement locations are prohibited. Accessibility standards also require that the vehicle allow sufficient space for wheelchair users to access a securement device. More equipment standards must be applied, for further information contact the STP Office.

Agreement – the consent of two or more parties concurring, respecting the transmission of some property, right or benefit, with a view of an obligation

Ambulatory – person capable of walking without assistance.

Americans with Disabilities Act of 1990 (ADA) – A civil rights law passed by Congress in 1990 that makes it illegal to discriminate against people with disabilities in employment, services provided by state and local governments, public and private transportation, public accommodations and telecommunications.

Applicant Organization – any private or public entity interested in receiving federal assistance by submitting to the Department the required program application and documents.

Bidder – any individual, partnership, corporation or other legal entity, or combination thereof, submitting a proposal for the work contemplated, acting either directly or through a duly authorized representative.

Calendar Day – any day shown on the calendar, beginning at midnight and ending at midnight of the following day. If no designation of calendar or working day is made, “day” shall mean calendar day.

Certifications and Assurances – declaration that the Recipient Organization agrees to comply with all Federal Statutes, regulations, executive orders, and federal requirements applicable to the federal assistance received.

CFR or C.F.R. – the Code of Federal Regulations.

Charter Service – transportation using buses or vans, or facilities funded with the FTA funds that are not mass transportation.

Commercial Driver’s License (CDL) – state issued commercial driver’s license meeting the minimum requirement established by the U.S. Department of Transportation

Compliance Review – the assessment and evaluation by the Department in determining the Recipient Organization’s compliance with the Section 5310 Program requirements.

Contract – the written agreement between the Department and the Contractor setting forth the obligations of the parties for the performance of the prescribed work.

Contractor – the individual, partnership, corporation or other legal entity, or combination thereof, contracting with the Department for performance of the prescribed work.

Contract Time – the number of working or calendar days provided in the contract for completion of the contract, exclusive of authorized time extensions.

Demand-Responsive – means transporting individuals, which is not a fixed route. Non-fixed route service utilizing vans or buses with passengers boarding and alighting at pre-arranged times at any location within the system’s service area. Also called “dial-a-ride.”

Department – the State of Hawaii Department of Transportation.

Director – the executive, heading the Department, acting directly or through his duly authorized representatives.

Disabled – individual who has: (1) a physical or mental impairment that substantially limits one or more major life activities; and (2) a record of such an impairment or is regarded as having such impairment.

Disabled Transportation Services – is defined as the transportation services for the disabled.

Elderly – is defined as an individual 60 years or older.

Elderly Transportation Services – is defined as the transportation services for the elderly.

Equivalent Service – means that when viewed in its entirety the transportation system deemed to provide equivalent service if the service available to individuals with disabilities is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided to other individuals with respect to the following service characteristics:

- Schedules (fixed route system)
- Response time (demand responsive system)
- Fares
- Geographic area of service
- Days and hours of service
- Availability of information
- Reservations capabilities (demand responsive system)

- Constraints of capacity or service availability
- Restrictions bases on trip purpose (demand responsive system)

Evaluation and Selection Committee or Selection Committee – comprised of professionals from the State Executive Office of Aging; State Department of Human Resources, Vocational Rehabilitation Division; State Department of Health, Disability and Communication Access Board; City and County of Honolulu, Department of Transportation Services; and State Department of Transportation.

Federal Fiscal Year (FFY) – a year that begins October 1 and ends September 30 of the following year.

Fiscal Year (FY) – a year that begins January 1 and ends December 31 of the same year.

FMVSS – Federal Motor Vehicle Safety Standards

FTA or F.T.A. – the Federal Transit Administration.

Fixed Route – means transporting individuals (other than by aircraft), including the provision of designated public transportation service by public entities and the provisions of transportation service by private entities, including, but not limited to, specified public transportation service, on which a vehicle is operated along a prescribed route according to a fixed schedule.

GVWR – Gross Vehicle Weight Rating

HRS or H.R.S. – the Hawaii Revised Statutes

Incidental Use – use of the project purchased with FTA funds for other than the transportation of the elderly or persons with disabilities.

Mental Impairment – is defined by the ADA as “any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.”

Make – is defined as the manufacturer of the vehicle.

Mass Transportation or Mass Transit – transportation by a conveyance that provides regular and continuing general or special transportation to the public, but does not include school bus, charter, or sightseeing transportation.

Model – is defined as the manufacturer’s type or design of a vehicle.

National Environmental Policy Act of 1969 (NEPA) – A comprehensive federal law requiring analysis of the environmental impacts of federal actions such as the approval of grants.

Non-Ambulatory – not able to walk.

Notice to Bidders – the advertisement for proposals for all work of materials on which bids are required.

Notice to Proceed – written notice to the Contractor indicating the date on which the Contractor may begin the contract work. The date also represents the beginning of the contract time.

Paratransit – Comparable transportation service required by the Americans with Disabilities Act (ADA) of 1990 for individuals with disabilities who are unable to use fixed-route transportation systems.

Paratransit Services – is defined by the ADA as “the transportation services for disabled persons where the individual is (1) unable without the assistance of another individual, to board, ride, or disembark from any vehicle (2) or with the assistance of a wheelchair lift or other boarding assistance device and is able, to board, ride and disembark from any vehicle.”

Passenger Miles – The total number of miles traveled by passengers on transit vehicles; determined by multiplying the number of unlinked passenger trips times the average length of their trips.

Physical Impairment – is defined by the ADA as “any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, and endocrine.”

Pre- and Post-Trip Maintenance – project maintenance performed before and after daily trips.

Preventive Maintenance – proactive project maintenance to prevent operational and safety problems.

Primary Use– use of the project purchased with FTA funds for the transportation of the elderly or persons with disabilities.

Private Entity – any entity other than a public entity.

Proposal – the offer of a bidder, on the prescribed form, to perform at the prices quoted, the work required under the contract.

Public Entity – (1) any state or local government; or (2) any department, agency, special purpose district, or other instrumentality of one or more state or local governments.

Public Transportation – means mass transportation.

Recipient Organization – An applicant organization that has received notice from the Department of project approval.

Record of Impairment – is defined by the ADA as “a person who has a record of a physical or mental impairment that substantially limits one or more major life activities.”

Regarded as Having an Impairment – the individual (1) may have an impairment which is not substantially limiting, but is treated by his/her employer as having such an impairment; (2) has an impairment that is substantially limiting because of attitude of others toward the condition; or (3) may have no impairment at all, but is regarded by his/her employer as having a substantially limiting impairment.

Regular Maintenance – project maintenance that follows the manufacturer maintenance manual.

Ridership – The number of rides taken by people using transportation system in a given period.

School Bus Service – School bus transportation services that are eligible for public school federal assistance.

Shuttle – A public or private vehicle that travels back and forth over a particular route, especially a short route or one that provides connections between transportation systems.

Service Life – the minimum standard useful life period of the project.

State – the State of Hawaii acting through its authorized representative.

Subscription – means transporting individuals on a continuing or periodic based prepayment plan.

Transit – is defined transportation of people by conveyance.

USC or U.S.C. – the United States Code.

USDOT or U.S.D.O.T. – the United States Department of Transportation.

Unscheduled Maintenance – project maintenance performed to correct an existing problem, that is not preventive or regular maintenance.

Vanpool – An arrangement in which a group of passengers share the use and cost of a van in traveling to and from pre-arranged destinations together.

VIN – is defined as the Vehicle Identification Number.

Wheelchair – means mobility aid belonging to any class of three- or four-wheeled devices, usable indoors, designed for and used by individuals with mobility impairments, whether operated manually or powered.

Wheelchair Lift – a mechanical lift that provides accessibility for wheelchairs into a vehicle.

Wheelchair Ramp – a ramp that provides accessibility for wheelchairs into a vehicle.

Work – the furnishing of all labor, materials, equipment, and other incidentals necessary or convenient for the successful completion of the project and the execution of all the duties and obligations imposed by the contract.

Working Day – A calendar day, exclusive of Saturdays, Sundays and State recognized legal holidays.